



Attorney's Docket No.: 07039-247001-
JFW/B4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mark Espy et al.

Art Unit : 1634

Serial No. : 09/945,203

Examiner : Sakelaris, S.

Filed : August 31, 2001

Title : DETECTION OF VARICELLA-ZOSTER VIRUS

MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL

The following correspondence relating to this application is enclosed for filing:

1. Supplemental Information Disclosure Statement (1 page);
2. Form PTO-1449 (2 pages);
3. Copies of cited references (18 references, including one on CD-ROM);
4. Copies of 2 partial European Search Reports (7 pages and 5 pages);
5. Check in the amount of \$180.00; and
6. A Return Postcard.

Please date stamp and return the enclosed postcard. Please apply any charges or credits to

Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 2, 2004

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M. Angela Parsons, Ph.D.

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June 2, 2004

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Lisa M. Becker

Lisa M. Becker

Typed or Printed Name of Person Signing Certificate



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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants submit the references listed on the attached form PTO-1449. Copies of two partial European Search Reports in counterpart applications are also enclosed.

This statement is being filed after a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee. Each item of information in this statement (i) was cited in a partial European Search Report in a counterpart foreign application, the communications being dated March 2, 2004 and March 10, 2004, which is not more than three months prior to the filing of this statement, and (ii) was not cited in any communication from a foreign patent office in a counterpart application which was more than three months prior to the filing date of this statement. A check for \$180 in payment of the late submission fee of §1.17(p) is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

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| Substitute Form PTO-1449 (Modified) | U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 07039-247001 | Application No. 09/945,203 |
| Information Disclosure Statement by Applicant (Use several sheets if necessary) 37 CFR §1.98(b) | | Applicant Mark Espy et al. | |
| | | Filing Date August 31, 2001 | Group Art Unit 1634 |

U.S. Patent Documents

| Examiner Initial | Desig. ID | Document Number | Publication Date | Patentee | Class | Subclass | Filing Date If Appropriate |
|------------------|-----------|-----------------|------------------|------------------|-------|----------|----------------------------|
| | AA | 5,702,895 | 12/30/97 | Matsunaga et al. | | | |

Foreign Patent Documents or Published Foreign Patent Applications

| Examiner Initial | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation | |
|------------------|-----------|----------------------------|------------------|--------------------------|-------|----------|-------------|----|
| | | | | | | | Yes | No |
| | AB | 1 160 333 | 12/05/01 | EPO | | | | |
| | AC | 0 526 876 | 02/10/93 | EPO | | | | |
| | AD | WO 03/068918 | 08/21/03 | PCT | | | | |
| | AE | WO 01/23604 | 04/05/01 | PCT | | | | |
| | AF | WO 01/12803 (on CD-ROM) | 02/22/01 | PCT | | | | |

Other Documents (include Author, Title, Date, and Place of Publication)

| Examiner Initial | Desig. ID | Document |
|------------------|-----------|--|
| | AG | Arthur et al., "Enterococcus faecium transposon Tn1546 transposase, resolvase, vanR, vanS, vanH, vanA, vanX, vanY and teicoplanin resistance protein (vanZ) genes, complete cds," 1993, database accession no. M97297 |
| | AH | Grisold et al., "Detection of Methicillin-Resistant <i>Staphylococcus aureus</i> and Simultaneous Confirmation by Automated Nucleic Acid Extraction and Real-Time PCR," <i>J. Clin. Microbiol.</i> , 2002, 40:2392-2397 |
| | AI | Huletsky et al., "Rapid Detection of Vancomycin-Resistant Enterococci Directly from Rectal Swabs by Real-Time PCR Using the Smart Cycler," <i>Abstracts of the Interscience Conference on Antimicrobial Agents and Chemotherapy</i> , Chicago, Illinois, September 22-25, 2001, 41:409 (Abstract K-1195) |
| | AJ | Ito et al., "Staphylococcus aureus DNA, type-I staphylococcal cassette chromosome mec," 1999, database accession no. AB033763 |
| | AK | "LightCycler-FastStart DNA Master Hybridization Probes," 1999 Roche Diagnostics GmbH Technical Manual, retrieved from the internet on February 6, 2004: http://www.roche-applied-science.com |
| | AL | Palladino et al., "Real-time PCR for the rapid detection of <i>vanA</i> and <i>vanB</i> genes," <i>Diagnostic Microbiology and Infectious Disease</i> , 2003, 45:81-84 |
| | AM | Palladino et al., "Rapid Detection of <i>vanA</i> and <i>vanB</i> Genes Directly from Clinical Specimens and Enrichment Broths by Real-Time Multiplex PCR Assay," <i>J. Clin. Microbiol.</i> , 2003, 41:2483-2486 |
| | AN | Patel et al., "Enterococcus faecalis vancomycin resistance protein vanB gene, partial cds," 1997, database accession no. U72704 |
| | AO | Patel et al., "Enterococcus faecium vancomycin resistance protein B (vanB) gene, partial cds," 1997, database accession no. U94528 |

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| Substitute Form PTO-1449 (modified) | U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 07039-247001 | Application No. 09/945,203 |
| Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR § 1.98(b)) | | Applicant Mark Espy et al. <hr/> Filing Date August 31, 2001 | |
| | | Group Art Unit 1634 | |

Other Documents (include Author, Title, Date, and Place of Publication)

| Examiner Initial | Desig. ID | Document |
|---------------------|--------------|---|
| | AP | Petrich et al., "Direct detection of <i>vanA</i> and <i>vanB</i> genes in clinical specimens for rapid identification of vancomycin resistant enterococci (VRE) using multiplex PCR," <u>Molecular and Cellular Probes</u> , 1999, 13:275-281 |
| | AQ | Reischl et al., "Rapid Identification of Methicillin-Resistant <i>Staphylococcus aureus</i> and Simultaneous Species Confirmation Using Real-Time fluorescence PCR," <u>J. Clin. Microbiol.</u> , 2000, 38:2429-2433 |
| | AR | Sloan et al., "Evaluation of a Combined LightCycler Assay for the Detection of <i>vanA</i> , <i>vanB</i> , and <i>vanB-2/3</i> Genes in Enterococci," <u>Abstracts of the General Meeting of the American Society for Microbiology</u> , 2002, 102:143 (Abstract C-242) |

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| Examiner Signature | Date Considered |
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